

**Executive Summary – Enforcement Matter – Case No. 43580**

**Hunt Oil Company**

**RN102563863**

**Docket No. 2012-0383-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Fairway Gas Plant, 16656 Farm-to-Market Road 1305, Poyner, Henderson County

**Type of Operation:**

Gas plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** July 20, 2012

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$13,125

**Amount Deferred for Expedited Settlement:** \$2,625

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$10,500

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Average

Site/RN - High

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2002

**Executive Summary – Enforcement Matter – Case No. 43580**  
**Hunt Oil Company**  
**RN102563863**  
**Docket No. 2012-0383-AIR-E**

***Investigation Information***

**Complaint Date(s):** N/A  
**Complaint Information:** N/A  
**Date(s) of Investigation:** January 6, 2012  
**Date(s) of NOE(s):** January 31, 2012

***Violation Information***

Failed to comply with the allowable hourly emissions rate. Specifically, during a performance stack test conducted on September 3, 2009, the Respondent exceeded the carbon monoxide ("CO") maximum allowable hourly emissions rate of 0.80 pound per hour for Engine 301-B, EPN 15, resulting in unauthorized emissions of 14,039.2 lbs of CO from September 3, 2009 to April 11, 2011[30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 215, Special Conditions No. 1, and Federal Operating Permit No. O2932, General Terms and Conditions and Special Terms and Conditions No. 5].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On April 1, 2011, the Respondent obtained an amendment to Permit No. 215 to increase the maximum allowable CO hourly emissions rate for Engine 301-B, Emissions Point No. ("EPN") 15.

**Technical Requirements:**

N/A

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** Rebecca Johnson, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.  
**TCEQ SEP Coordinator:** N/A  
**Respondent:** David Chapman, Vice President, Hunt Oil Company, 1900 North Akard Street, Dallas, Texas 75201-2300  
Jamey Hyde, Project Manager, Hunt Oil Company, 1445 Ross Avenue, Dallas, Texas 75202

<b>DATES</b>	<b>Assigned</b>	6-Feb-2012	<b>Screening</b>	15-Feb-2012	<b>EPA Due</b>	27-Oct-2012
	<b>PCW</b>	15-Feb-2012				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Hunt Oil Company
<b>Reg. Ent. Ref. No.</b>	RN102563863
<b>Facility/Site Region</b>	5-Tyler <span style="float: right;"><b>Major/Minor Source</b> Major</span>

<b>CASE INFORMATION</b>	
<b>Enf./Case ID No.</b>	43580
<b>Docket No.</b>	2012-0383-AIR-E
<b>Media Program(s)</b>	Air
<b>Multi-Media</b>	
<b>Admin. Penalty \$ Limit Minimum</b>	\$0 <span style="float: right;"><b>Maximum</b> \$10,000</span>
<b>No. of Violations</b>	1
<b>Order Type</b>	1660
<b>Government/Non-Profit</b>	No
<b>Enf. Coordinator</b>	John Muennink
<b>EC's Team</b>	Enforcement Team 5

<b>Penalty Calculation Section</b>	
<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b> \$17,500
<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
<b>Compliance History</b>	<b>0.0%</b> Enhancement <b>Subtotals 2, 3, &amp; 7</b> \$0
<div style="display: flex; justify-content: space-between;"> <div style="width: 15%;">Notes</div> <div style="width: 85%; border: 1px solid black; padding: 5px;">Enhancement for one NOV with dissimilar violations. Reduction for two notices of intent to conduct an audit and one disclosure of violations.</div> </div>	
<b>Culpability</b>	<b>0.0%</b> Enhancement <b>Subtotal 4</b> \$0
<div style="display: flex; justify-content: space-between;"> <div style="width: 15%;">Notes</div> <div style="width: 85%; border: 1px solid black; padding: 5px;">The Respondent does not meet the culpability criteria.</div> </div>	
<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b> \$4,375
<b>Economic Benefit</b>	<b>0.0%</b> Enhancement* <b>Subtotal 6</b> \$0
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> Total EB Amounts <span style="border: 1px solid black; padding: 2px;">\$72</span>  Approx. Cost of Compliance <span style="border: 1px solid black; padding: 2px;">\$900</span> </div> <div style="width: 60%; font-size: x-small;">*Capped at the Total EB \$ Amount</div> </div>	
<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b> \$13,125
<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b> <b>Adjustment</b> \$0
Reduces or enhances the Final Subtotal by the indicated percentage.	
<div style="display: flex; justify-content: space-between;"> <div style="width: 15%;">Notes</div> <div style="width: 85%; border: 1px solid black;"></div> </div>	
	<b>Final Penalty Amount</b> \$13,125
<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b> \$13,125
<b>DEFERRAL</b>	<b>20.0%</b> Reduction <b>Adjustment</b> -\$2,625
Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)	
<div style="display: flex; justify-content: space-between;"> <div style="width: 15%;">Notes</div> <div style="width: 85%; border: 1px solid black; padding: 5px;">Deferral offered for expedited settlement.</div> </div>	
<b>PAYABLE PENALTY</b>	<b>\$10,500</b>

Screening Date 15-Feb-2012

Docket No. 2012-0383-AIR-E

PCW

Respondent Hunt Oil Company

Policy Revision 2 (September 2002)

Case ID No. 43580

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102563863

Media [Statute] Air

Enf. Coordinator John Muennink

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement for one NOV with dissimilar violations. Reduction for two notices of intent to conduct an audit and one disclosure of violations.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 0%

Screening Date 15-Feb-2012

Docket No. 2012-0383-AIR-E

PCW

Respondent Hunt Oil Company

Policy Revision 2 (September 2002)

Case ID No. 43580

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102563863

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Permit No. 215, Special Conditions No. 1, and Federal Operating Permit No. 02932, General Terms and Conditions and Special Terms and Conditions No. 5

Violation Description

Failed to comply with the allowable hourly emissions rate. Specifically, during a performance stack test conducted on September 3, 2009, the Respondent exceeded the carbon monoxide ("CO") maximum allowable hourly emissions rate of 0.80 pound ("lb") per hour for Engine 301-B, Emissions Point Number 15, resulting in unauthorized emissions of 14,039.2 lbs of CO from September 3, 2009 to April 11, 2011.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

## &gt;&gt; Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 7

585 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$17,500

Seven quarterly events are recommended from the date of the stack test on September 3, 2009 to the date of compliance on April 11, 2011.

## Good Faith Efforts to Comply

25.0% Reduction

\$4,375

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent came into compliance on April 11, 2011, prior to the January 31, 2012 NOE.

Violation Subtotal \$13,125

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$72

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

# Economic Benefit Worksheet

**Respondent** Hunt Oil Company  
**Case ID No.** 43580  
**Rea. Ent. Reference No.** RN102563863  
**Media** Air  
**Violation No.** 1

**Percent Interest** 5.0  
**Years of Depreciation** 15

**Item Cost**   **Date Required**   **Final Date**   **Yrs**   **Interest Saved**   **Onetime Costs**   **EB Amount**  
**Item Description** No commas or \$

## Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs	\$900	3-Sep-2009	11-Apr-2011	1.60	\$72	\$72
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to amend Permit No. 215 to increase allowable hourly CO emissions rates for Engine 301-B. The Date Required is the date of the stack test. The Final Date is the date that the permit amendment was approved.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$900

TOTAL

\$72

# Compliance History Report

Customer/Respondent/Owner-Operator: CN600551477 Hunt Oil Company Classification: AVERAGE Rating: 2.85  
Regulated Entity: RN102563863 FAIRWAY GAS PLANT Classification: HIGH Site Rating: 0.00

ID Number(s): AIR NEW SOURCE PERMITS PERMIT 215  
AIR NEW SOURCE PERMITS ACCOUNT NUMBER HM0010V  
AIR NEW SOURCE PERMITS AFS NUM 4821300004  
AIR NEW SOURCE PERMITS REGISTRATION 72316  
AIR OPERATING PERMITS ACCOUNT NUMBER HM0010V  
AIR OPERATING PERMITS PERMIT 2932  
AIR OPERATING PERMITS PERMIT 2932  
AIR EMISSIONS INVENTORY ACCOUNT NUMBER HM0010V

Location: 16656 FM 1305, POYNER, HENDERSON CO., TX

TCEQ Region: REGION 05 - TYLER

Date Compliance History Prepared: February 13, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 13, 2007 to February 13, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: John Muennink Phone: (713) 422-8970

## Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? NO
3. If YES, who is the current owner/operator? N/A
4. If YES, who was/were the prior owner(s)/operator(s)? N/A
5. If YES, when did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: NO

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.  
N/A
- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	05/16/2007	(560365)
2	01/24/2008	(614551)
3	10/23/2008	(706120)
4	11/18/2008	(706483)
5	11/05/2008	(706573)
6	11/05/2008	(706588)
7	12/14/2009	(785569)
8	01/20/2010	(788675)
9	06/28/2010	(827096)
10	12/21/2010	(880677)
11	01/31/2012	(977127)

- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/21/2010 (880677) CN600551477  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter E 117.3345(c)  
5C THSC Chapter 382 382.085(b)

Description: Fairway Gas Plant (FGP) failed to submit stack test sampling results in a timely manner during the semi-annual certification period of July 14, 2009 to January 13, 2010.

F. Environmental audits.

Notice of Intent Date: 02/03/2009 (742018)

Disclosure Date: 02/03/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT 215, SC5

Description: Failure to have catalytic controls on the Ingersoll Rand KVGR engine (EPN15).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter O 106.352

30 TAC Chapter 106, SubChapter A 106.6(b)

Description: Failure to route non-condensable vapors from the BTEX condenser to the Tri-Ethylene-Glycol reboiler fire box.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Rqmt Prov: PERMIT 2932 SC3

Description: Failure to document visible emissions observations on emissions units with vent emissions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(A)

Description: Failure to amend Title V permit to identify applicable emission requirements under Part 60, Subpart KKK for the Tri-Ethylene-Glycol Boiler.

Notice of Intent Date: 06/23/2011 (936817)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
HUNT OIL COMPANY  
RN102563863

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§  
§  
§  
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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2012-0383-AIR-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Hunt Oil Company ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a gas plant at 16656 Farm-to-Market Road 1305 in Poyner, Henderson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 5, 2012.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Thirteen Thousand One Hundred Twenty-Five Dollars (\$13,125) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Ten Thousand Five Hundred Dollars (\$10,500) of the administrative penalty and Two Thousand Six

Hundred Twenty-Five Dollars (\$2,625) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that on April 11, 2011, the Respondent obtained an amendment to Permit No. 215 to increase the maximum allowable carbon monoxide ("CO") hourly emissions rate for Engine 301-B, Emissions Point No. ("EPN") 15.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to comply with the allowable hourly emissions rate, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 215, Special Conditions No. 1, and Federal Operating Permit No. O2932, General Terms and Conditions and Special Terms and Conditions No. 5, as documented during a record review conducted on January 6, 2012. Specifically, during a performance stack test conducted on September 3, 2009, the Respondent exceeded the CO maximum allowable hourly emissions rate of 0.80 pound per hour for Engine 301-B, EPN 15, resulting in unauthorized emissions of 14,039.2 lbs of CO from September 3, 2009 to April 11, 2011.

## III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Hunt Oil Company, Docket No. 2012-0383-AIR-E" to:

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Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

*For the Executive Director*  
For the Executive Director

7/31/12  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

*David Chapman*  
Signature

5/18/12  
Date

David Chapman  
Name (Printed or typed)  
Authorized Representative of  
Hunt Oil Company

Vice President  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.